



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

FOR IMMEDIATE RELEASE

Shana Jones, Special Assistant
Daryl Fields, Public Information Officer
(210) 384-7440

May 9, 2008

**SAN ANTONIO BUSINESSMAN CHARGED WITH MAKING FALSE STATEMENT IN
DEPOSITION TO FEDERAL TRADE COMMISSION**

United States Attorney Johnny Sutton announced this morning the filing of an Information charging 53-year-old Harry Siskind, former CEO of Mark Nutritional Incorporated (MNI), which did business as Body Solutions, with making a false statement to the Federal Trade Commission.

The Information alleges that on June 23, 2003, during a deposition taken by the FTC in connection with the FTC's lawsuit against MNI, Siskind and others, Siskind knowingly made a materially false statement/representation to authorities. Specifically, the Information alleges that MNI, Siskind, and others were being sued by the FTC due to the marketing claims made by Body Solutions that drinking its "Evening Solution" weight loss product would cause users to lose substantial weight without diet or exercise. In connection with the FTC's lawsuit, and a related bankruptcy case, the FTC took a sworn deposition of Siskind. Of material concern to the FTC was the nature, location and valuation of any and all assets "owned or controlled, directly or indirectly, in whole or in part by" Siskind. The United States District Court ordered Siskind to disclose such information. In the deposition, under oath, Siskind falsely stated that certain assets owned by him were valueless stock when in fact they were valuable loans owed to him which he expected to be repaid.

Upon conviction, Siskind faces up to five years in federal prison, a maximum \$250,000 fine and \$155 million restitution, the amount of a stipulated judgement the FTC has against Siskind.

This case was referred by the United States Trustee's Office in San Antonio, Texas, and was investigated by the Federal Trade Commission together with the Federal Bureau of Investigation. Assistant United States Attorney William R. Harris and Special Assistant United States Attorney Pat S. Layng of the Criminal Enforcement Unit, United States Trustee Program are prosecuting this case on behalf of the Government.

#####